

REMARKS

As a preliminary matter, the Applicants noted the following typographical errors and have corrected these by making the appropriate amendments to the specification and claims

Page 1: line 20, a hyphen has been inserted between "commonly" and "owned"; line 22, a comma has been inserted between "Morgan" and "et al."; line 23, a comma has been inserted between "assemblies" and "such"; same line, a comma has been inserted between "Kasen" and "et"; line 24, a comma has been inserted between "al." and "or"; same line, a comma has been inserted between "assemblies" and "such"; same line "commonly own" has been changed to "commonly-owned,"; line 25, a comma has been inserted between "Gerber" and "et al."; and line 26, "theses" has been changed to "these".

Page 5: line 4, the word "a" has been inserted between "is" and "front"; line 21, the semicolon after "09/956,297" has been replaced by a comma; and line 24, a hyphen has been inserted between "spaced" and "apart".

Page 6: line 2, a comma has been inserted between "which" and "in" and between "turn" and "rotatingly"; line 9, a comma has been inserted between "hollow" and "downwardly"; and same line, a hyphen has been inserted between "downwardly" and "projecting".

Page 6: line 20, the word "continue" has been changed to "continued"; and line 24, "brush cup 230" has been changed to "center cup 230".

Page 7: line 2, "brush cups" has been changed to "center cups 230"; line 3, a comma has been inserted between "and" and "thus" and between "thus" and "prevent"; same line, "gear brush" has been changed to "gear brush 226"; line 9, "bushing 222 and" has been changed to "222,"; line 10, the comma has been deleted between "and" and "with"; line 11, "3,4 and 5," has been changed to "3, 4, and 5,"; same line, the comma after "bore" has been deleted; line 15, "gear brush 226" has been changed to "gear brushes 226,"; line 18, "brush 226" has been changed to "brushes 226"; same line, a comma has been inserted between "too" and "such"; line 20, "136" has been inserted between "bristles" and "to"; and same line, a comma has been inserted between "heights" and "thereby".

Page 8: line 1, a hyphen has been inserted between "spaced" and "apart"; line 3, a comma has been inserted between "which" and "in" and between "turn" and "rotatingly"; line 10, "hollow downwardly projecting" has been changed to "hollow, downwardly-projecting"; line 14, "bushing 222 and" has been changed to "bushing 222,"; line 15, the comma has been deleted between "and" and "with"; line 17, the comma has been deleted between "bore" and "extending"; and lines 20 and 23, "gear brush 326" has been changed to "gear brushes 326".

Page 9: line 6, a comma has been inserted between "outwardly" and "the"; line 8, "brush 326 further includes" has been changed to "brushes 326 further include"; line 9, "bristles" has been changed to "bristle"; line 10, "brush 326" has been changed to brushes 326"; line 15, "356" has been changed to "354"; line 18, "356" has been changed to "354"; and line 21, a comma has been inserted between "outwardly" and "the".

Page 10: line 1, a comma has been inserted between "cleaning" and "as"; line 15; the semicolon after "09/956,297" has been replaced by a comma; line 17, the word "incorporate" has been changed to "incorporated"; and line 18, the semicolon after "6,009,593" has been replaced by a comma.

Page 11: line 3, "420" has been deleted; line 5, "492" has been changed to "425"; line 15, "468, 470" has been inserted between "group" and "is"; line 16, a comma has been inserted between "11A" and "bristles"; line 17, "which is longer than 3480A" has been changed to "which are longer than 480A"; and line 18, a comma has been inserted between "outwardly" and "the".

Page 12: line 5, "485, 486" has been inserted between "group" and "is"; line 6, a comma has been inserted between "11A" and "bristles"; line 7, "is" has been changed to "are"; line 8, a comma has been inserted between "outwardly" and "the"; line 20, "418" has been inserted between "member" and "rearwardly"; line 23, "collects" has been changed to "collect"; and line 24, "dirt in collected" has been changed to "dirt collected".

Page 13: line 4, "channels." has been changed to "channels 440."; line 8, "418" has been inserted between "member" and "near"; line 10, "446" has been inserted between "surface" and "of"; line 11, "418" has been inserted

between "member" and "and"; line 12, "floor cleaning and brush" has been changed to "floor cleaning unit and base"; line 13, "commonly owned co pending" has been changed to "commonly-owned, co-pending"; line 14, the semicolon after "10/340,291" has been replaced by a comma; same line, "of" has been inserted between "disclosure" and "which"; and line 16, "the" has been inserted between "to" and "cleaning".

Page 14: line 1, ", respectively," has been inserted between "526" and "as"; line 6, "roll" has been replaced by "assembly"; line 13, "522" has been inserted between "bundle" and "are"; same line, a comma has been inserted between "outwardly" and "the"; line 14, "520" has been changed to "522,"; line 15, a comma has been inserted between "whole" and "for"; line 16, "520B" has been changed to "522B"; same line, "520A" has been changed to "522A"; line 17, "520C" has been changed to "522C"; line 18, a comma has been inserted between "machines" and "such"; line 20, the semicolon after "5,983,442" has been replaced by a comma; line 21, a comma has been inserted between "machines" and "such"; line 22, the commas after "Kasen" and "Lenkiewicz" have been replaced by semicolons; same line, "Pat. No." has been inserted between "U.S." and "6,467,122"; line 23, "6073300" has been changed to "6,073,300"; same line, the semicolon after "Zahuranec" has been replaced by a comma; and line 24, a space has been inserted between "216," and "316,".

Page 17: claim 4, line 1, "of claim" has been inserted between "device" and "1".

Page 18: claim 8, line 3, "from the" has been deleted.

The Examiner has identified three Species in the subject patent application, and Species A was preliminarily elected on August 7, 2006. The Applicants hereby affirm the election of Species A, relating to claims 1-20 and Figures 1-10, and acknowledges that claims 1, 14, and 18 have been identified as being generic. The election of Species A is made without traverse.

Turning now to the substantive rejection, the Examiner argues that claims 1-6, 9, 10, 12, 14, and 15-19 are obvious under 35 U.S.C. 103(a) over Gergek, U.S. Patent No. 6,766,556, in view of Howard, U.S. Patent No. 4,074,385. The Applicants respectfully disagree because the combination of Gergek and Howard does not result in the claimed

invention. In particular, claim 1 requires a brush assembly having a first set of pliable elements comprised of a first group of pliable elements and a second group of pliable elements, where the second group of pliable elements extends downwardly from the brush less than the first group. As acknowledged by the Examiner, Gergek does not disclose a brush assembly having a first and second group of pliable elements having different lengths. For this, the Examiner refers to Howard as showing an outermost ring of bristles that slope downwardly and outwardly, having all their ends in the same plane (Fig. 1). From this, the Examiner correctly concludes that when the outer bristles of Howard extend at an angle, it would be necessary for those bristles to have a greater length than bristles that extend straight down as shown in Figs. 1 and 3. But, the Applicants' claim does not relate to the overall length of the pliable element and instead requires the second group of pliable elements to extend downwardly from the brush a length less than the first group of pliable elements. In contrast to Howard and Gergek, the claimed brush assembly includes a first group of pliable elements that extend downwardly to a greater extent than the second group of pliable elements. This feature is best seen in Fig. 10 where the first group of pliable elements is indicated by reference number 334, and the second group is indicated by reference number 354. The differences in the downward extension of each is clearly seen in this Figure. Also, Fig. 11A depicts the same feature in connection with the brush assembly of Species B, and Fig. 12 depicts the same feature in connection with Species C. As described in the specification on page 9, lines 23-25, the difference in height of the bristle bundles allows longer bristle bundles to clean grout areas or other recessed areas of the floor. As depicted in Figs. 1-8, the difference in the amount of extension from the brush may be achieved by trimming bristles so that the individual bristles extend a shorter distance as one moves radially inward, or, as depicted in Fig. 10, the entire bristle bundle may extend downward from the base a lesser extent as one moves radially inward from the outermost bristle bundle. This is distinguished from the applied patents in that their bristles are designed to lie in the same horizontal plane as depicted in Fig. 1 and, thus, extend downward from the brush base an equal distance. Consequently, the Applicants respectfully request reconsideration of the rejection of claims 1-6, 9, 10, 12, 14, and 15-19.

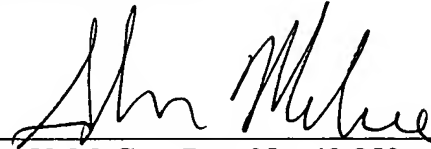
Claim 11 was rejected as obvious over Gergek in view of Howard and further in view of Malish, U.S. Patent No. 4,114,225. The Applicants believe that this rejection is moot for the same reasons discussed above. Claims 13 and 20 were rejected as unpatentable over

Gergek in view of Howard and further in view of Krause. Krause relates to a drive method, and the Applicants believe that this rejection is moot for the reasons stated above.

The Applicants acknowledge the Examiner's indication that claims 7 and 8 contain allowable subject matter.

In view of the foregoing argument, the Applicants believe that claims 1-20 are in condition for allowance and respectfully request notice of the same.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Shannon V. McCue", is written over a horizontal line.

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